

DOCKET NO.: ISIS0003-101 (ISIS-5030)**PATENT****REMARKS**

Claims 1-95 are pending in the application and subject to restriction. Claims 61-63 and 65 have been amended to provide proper antecedent basis. Claims 1, 33, 55, 67 and 93 have been amended to specify that the polynucleotides are single-stranded. Claim 67 was amended to correct a typographical error. Claims 38, 39, 59, 60, 72 and 73 have been cancelled without prejudice. No new matter has been added.

The Examiner required Applicant to elect one of three patentably distinct inventions for examination. Group I, encompassing claims 1-87, is said to be "drawn to methods of modification of a target RNA via RNA-like compounds and RNase III domain containing polypeptides, classifiable in class 514, subclass 44." Group II, encompassing claims 88-92, is said to be "drawn to a cell having enhanced RNase III activity, classifiable in class 435, subclass 326." Group III, encompassing claims 94 and 95, is said to be "drawn to a hybrid RNase III, classified in class 530, subclass 350." In the event Group I is elected, the Office further requires restriction to the use of single stranded polynucleotides or the use of double stranded polynucleotides. Applicant respectfully traverses and requests reconsideration of the Restriction Requirement.

Applicant provisionally elects herein Group I, encompassing claims 1-87. Pursuant to the Office's imposition of a restriction requirement in the event Group I is elected, Applicant elects the use of single stranded polynucleotides.

Notwithstanding the foregoing, Applicant respectfully disagrees with the reasoning set forth by the Office justifying the secondary restriction to the use of single stranded polynucleotides or the use of double stranded polynucleotides. For example, the Office failed to identify any "different steps" that would be required in a method using a single stranded polynucleotide versus the method using a double stranded polynucleotide. Although Applicant disagrees, solely in an attempt to advance the prosecution of the entire scope of Group I to allowance, Applicant reserves the right to prosecute the claims encompassed by any of the non-elected groups in future divisional applications.

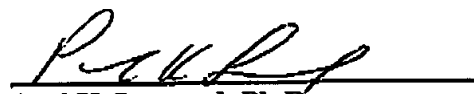
DOCKET NO.: ISIS0003-101 (ISIS-5030)**PATENT****Linking Claims**

The Office further indicates that claims "1, 15, 33, 55, 67 and 93 link the above-identified inventions." (Office Action, page 2). Applicant acknowledge the Office's indication that "[u]pon allowance of the linking claim(s), the restriction requirement as to the linked inventions shall be withdrawn and any claims(s) depending from or otherwise including all the limitations of the allowable linking claim(s) will be entitled to examination in the instant application."

Conclusion

The examination of the pending claims and passage to allowance are respectfully requested. An early Notice of Allowance is therefore earnestly solicited. Applicant invites the Examiner to contact the undersigned at (215) 665-6914 to clarify any unresolved issues raised by this response.

Respectfully submitted,


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